IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.2210 OF 2005

Lehar P. Ajwani ...Petitioner

Versus

The Superintendent of Police,
C.B.I. ...Respondents

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Mr. Subhash Jha i/b Law Global, Advocate for Petitioner

Mr. Ezaz Khan, Adv.for C.B.I.

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CORAM: SMT. V.K. TAHILRAMANI, J.

DATED: 20TH SEPTEMBER, 2005

P. C.:-

1. Heard Mr. Jha, the learned advocate for the petitioner and Mr. Khan, the learned counsel for respondent C.B.I. The petitioner is facing prosecution in F.I.R. No.RC/BA1/2004/A0044 of C.B.I.

2. The petitioner has prayed for return of passport for a limited period. On behalf of the petitioner it is contended that the said passport is required to be produced before her employer and it is one of the requirement of the appointment letter.

3. Mr. Khan, the learned counsel for C.B.I. has submitted that investigation in the present case is

going on. As per their records, the petitioner was absconding for almost a period of two months and despite their best efforts she could not be traced. Hence, he apprehends that if the passport is returned back to the petitioner, she may abscond.

4. Mr. Jha has submitted that in fact the petitioner was not absconding. However, Mr. Khan states that the order of the lower Court clearly reflects this fact and he can produce the relevant documents in respect of this contention. Mr. Khan has stated that, if the passport is necessary to be produced before the employer at Trivendrum, the Officers of C.B.I. or any person delegated by them, will take the said passport and produce the same before the employer at Trivendrum.

5. In view of this statement, Mr. Jha states that as when the passport will be required by the petitioner, it will be informed to the C.B.I. well in advance so that C.B.I. can do needful.

6. Writ petition is disposed of in terms of the above order.

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